

REMARKS

Claims 1-20 remain in this application, with claims 11-20 amended in a non-narrowing fashion, merely to exchange "medium" for "media" in the preambles. These amendments are made without disclaimer or waiver of any subject matter disclosed by the present application.

Claims 11-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunii in view of Zordan. These rejections are respectfully traversed.

Kunii is discussed in Applicants' last two responses. The prior rejections under 35 U.S.C. § 102(b) and § 103(a) are now withdrawn, and replaced by the present rejections in view of Kunii and the newly-cited reference Zordan. Applicants believe that Zordan is not citable prior art, because claims 1, 8, 11 and 18 against which Zordan is cited were all reduced to practice prior to June 8, 2002. Zordan bears no publication date, but only a publication year, which is 2002. However, available evidence suggests that Zordan was presented at the 2002 ACM SIGGRAPH/Eurographics symposium on Computer animation in San Antonio, Texas during July 20-21, 2002. See the 2002 ACM/SIGGRAGH program guide, "ACM SIGGRAPH Symposium on Computer Animation," <http://www.cs.ubc.ca/~van/sca/sca2002/advanceProg.html>, copy enclosed. A printout of the HTML code for this page is also enclosed. The annual SIGGRAPH symposium was, and continues to be, a common venue for new publications. In addition, Applicants are not aware of any evidence supporting an earlier publication date for Zordan, and have conducted an Internet search to identify its earliest publication date. Based on the foregoing, Applicants respectfully submit that the earliest supportable publication date for Zordan is July 21, 2002.

However, Applicants reduced the subject mater of at least claims 1, 8, 11 and 18 to practice no later than June 8, 2002. See Declaration of Oliver James, and supporting video clip, submitted herewith. Therefore, Zordan is not effective as prior art under 35

U.S.C. § 103(a) against at least claims 1, 8, 11 and 18. Zordan is not cited against the remaining claims, which are therefore allowable as based on allowable base claims.

In view of the foregoing, the Applicants respectfully submit that Claims 1-20 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited.


The arguments for patentability set forth in this response are sufficient for overcoming the pending rejections, and are made without derogation or waiver of other arguments for patentability such as will or may be advanced regarding the claims at issue.

To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

While no fees are believed due in connection with the filing of this response, the Commissioner is authorized to charge any fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-3683.

Respectfully submitted,

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Jonathan Jaech
Attorney for Applicants
Registration No. 41,091

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PATENT TRADEMARK OFFICE

Connolly Bove Lodge & Hutz LLP
1007 N. Orange Street
P. O. Box 2207
Wilmington, Delaware 19899
(213) 787-2500